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Environmental Quality Commission

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Scott Smith, Chair, *Lexington*
Gordon Garner, Vice-Chair, *Prospect*
Andrew Ernest, *Bowling Green*
Laura Knoth, *Grand Rivers*
Kimberly McCann, *Ashland*
Stephanie McSpirit, *Richmond*
Eugene Zick, *Russellville*

**KENTUCKY ENVIRONMENTAL QUALITY COMMISSION
PUBLIC FORUM**

Meeting Minutes

February 6, 2008
Capital Annex
Frankfort, Kentucky

EQC Commissioners Present

Scott Smith, Chair
Arnita Gadson
Andrew Ernest
Laura Knoth
Eugene Zick

EQC Staff Present

Johnna McHugh, Director of Operations
LaTisha Barnett, Executive Secretary

Speakers/Representatives Present

Sandy Gruzesky, Division of Water
Karen Schaffer, Stantec Consulting Services, Inc.
Kenny Ratliff, Division of Geographic Information
Kevin Cardwell, Division of Budgets
Susan Bush, Department for Natural Resources
Bruce Scott, Department for Environmental Protection

The Environmental Quality Commission (EQC) held a public forum on February 6, 2008, focusing budgetary issues in the commonwealth. There were 28 people in attendance. The meeting was called to order at 6:30p.m. Scott Smith began the meeting welcoming Arnita Gadson of Prospect, KY. Gadson gave a brief history of her background.

Smith explained that the meetings focus was budgetary issues and then asked the commissioners to approve the minutes of the last meeting. A motion to accept the minutes was made by Andrew Ernest and seconded by Laura Knoth. The motion was passed unanimously, and the minutes were accepted.

Smith then began the process of electing EQC officers for the next year. A motion was made by Eugene Zick and seconded by Knoth for Scott Smith to serve as Chairman of the EQC. The motion was passed unanimously. Zick then motioned for Gordon Garner to serve as Vice-Chairman of the EQC. The motion was seconded by Knoth and it was passed unanimously.

Sandy Gruzesky of the Division of Water was first to present regulatory briefings. Gruzesky explained that federal regulations require that state agencies establish procedures for public notice in the case of all applications for 401 certification. All surrounding states charge fees for 401 certification. Gruzesky explained that the two regulations, the 401 Water Quality Certification and the Confined Animal Feeding Operations (CAFO), establish procedures for public notice and another regulation, the Kentucky Pollutant Discharge Elimination Systems (KPDES), sets fees to partially cover the costs of implementing the certification program.

Kenny Ratliff of the Division of Geographic Information and Karen Schaffer of Stantec Consulting Services, Inc. were next to present. They discussed building the Kentucky Watershed Modeling Information Portal (KWMIP). Ratliff began by sharing the vision and goals of KWMIP. The visions and goals are to provide a one-stop digital, geospatial data portal for all entities performing watershed modeling over the geography of Kentucky using datasets from their domicile and their native formats. KWMIP aims to:

- Enable better environmental decisions
- Improve ease of analyses
- Increase the value of existing datasets
- Make it easy to get that data to the people who need it
- Apply open standards to allow future expansion
- Leverage KY GeoNet Layers
- Provide tools for users, beyond data
- Utilize GIS Portal Toolkit
- Keep KY in the forefront of GIS

Next, Schaffer discussed designing and building the portal.

- User Needs Assessment
 - Increase Model Use – TMDL's are needed for 2,000 impaired pollutant/water bodies in KY
 - Improve Modeling Efficiency – KWMIP requests and packages many model datasets
 - Improve Model Consistency – Model precipitation and temperature statewide
 - Train Modelers – KWMIP and new datasets

Ratliff finished the presentation explaining the next steps. Ratliff stated that training will take place February 25, 2008. There will be Web site updates to training modules and project documents. A final report is due by March 31, 2008.

Kevin Cardwell of the Division of Budgets, Bruce Scott of the Department for Environmental Protection (DEP), and Susan Bush of the Department for Natural Resources (DNR) presented on the biennial budget. Cardwell explained the budget process:

- Support programs throughout the cabinet – submit by November 1st
- Changes are made
- Introduced as the Governor's recommendation
- Starts at the House – make changes
- Presented to Senate – make changes
- Budget finally come together
- Signed or vetoed

Scott touched on some aspects of the current budget draft and its impact on the Department of Environmental Protection. He explained that the major differences in the current budget and the drafted budget. He stated that the cabinet will have less money for the fiscal year 2009 to 2010.

Bush presented impacts to DNR.

- Programs that are saving costs
 - Surface Mining Law – 1,000 permitting actions completed
 - Abandoned Mine-land Program
 - Mine Safety & Licensing grant commitments
- Reducing Costs
 - Maintaining inspection capacity
 - 20% time, gas, vehicle – having access to computers at mining sites
 - Electronic postage service
 - Electronic permit application
 - Reduction of positions – no new computers and vehicles

Tom FitzGerald informed the commission of his concerns. He mentioned that the Kentucky Transportation Cabinet has an extensive scholarship program and the Environmental & Public Protection Cabinet has a limited scholarship program. FitzGerald stated that the Cabinet needs to set long term goals to create an extensive scholarship program. Other concerns were:

- Loss of dedicated funds such as (PRIDE, PSTAF)
- No transfer from Transportation for litter abatement
- Proposal to take 10 MM from in lieu fee fund

- Air program for Title V Permits is the only program that fees pay for permit review. Permit fees need to be revisited. Fees should cover the cost of review and inspections for the life of the pollutants.

There was a 5 minute break and then the Commission proceeded with other EQC business.

Water Summit – This was originally scheduled for May, but the EQC doesn't have adequate staff. DOW cannot supply staff. The Commissioners agreed to postpone going further with the Summit until the EQC has a new Executive Director. Smith reported that Mark York has agreed to roll the work already done with the Water Summit into the Governor's Conference on the Environment. Ernest said he would contact Mark York to make sure that the EQC would stay involved if the Secretary's office takes over these plans.

Jo Hargis – Commissioners want to do something to recognize Jo Hargis for her work as the Executive Director of the EQC. The Commissioners said they would like to recognize Hargis at the Earth Day Ceremony.

Earth Day – Johnna McHugh mentioned that all Commissioners haven't submitted their votes for award recipients.

Mary Shenkle addressed the Commissioners about her concern with budget cuts. The impact of budget cuts will affect county programs. With these budget cuts, county programs will not be able to do what they are mandated to do.

A motion to adjourn the forum was made by Andrew and seconded by Laura. The motion was passed unanimously and the forum was adjourned at 9:40p.m.

Signed,

Scott Smith, EQC Chair
May 28, 2008

